

He ignores what happened in between. After the election returns of November 3, 2020, Republicans across the Nation, in 40 different States, introduced hundreds of bills to limit people's right to vote. That is why we are responding with this Federal response that is now being considered in the Senate Rules Committee.

He missed part of the equation. It went from November 3rd's big turnout to efforts in State legislatures to restrict turnout, to limit the rights of people to vote across America, especially African Americans and Latinos and those who are not wealthy—to limit their right to vote. And then came this response on the Federal basis. That is an important point. If we believed that the filibuster would not be used against it, if there was some promise that it wouldn't be, we certainly could bring that bill to the floor for debate, and we should, if we are given that kind of assurance.

GUN VIOLENCE

Mr. President, the final point I want to make is regarding the hearing we held yesterday. It was a hearing before the Senate Judiciary Committee on guns and gun violence. I scheduled it last week, and I didn't know as I scheduled it the tragedy that was occurring in Atlanta, GA, with eight people who were murdered. We heard about that. It was an outrage, these poor, innocent people killed—coincidentally, the majority of them Asian Americans—at a time when we know hate crimes against Asian Americans are on the rise.

That was the day that I announced the hearing that occurred yesterday, but little did I know, as we prepared 2 days ago for that hearing, what would happen in Boulder, CO, just 2 days ago when 10 innocent people were killed at a supermarket.

We had a hearing yesterday. It was an important hearing. Members all attended. Sadly, one of the members on the other side came in, the junior Senator from Texas, and characterized our hearing on gun violence, in light of what is happening in America, as “ridiculous theater.” Those were his words, “ridiculous theater.” There was nothing ridiculous about the hearing that we held yesterday. It was a matter of life and death.

The grief that is being felt in Boulder, CO; Atlanta, GA; and all over America is a grief that is shared on a daily basis. Forty thousand Americans each year lose their lives to gun violence—40,000—a recordbreaking number and nothing we should be proud of as a nation.

When we address gun violence and the measures that should be taken to reduce it, it is not ridiculous; it is as serious as it gets. Furthermore, it is not theater. Theater is a depiction of reality; the Senate Judiciary Committee is reality.

We are imparted, as Senators, to change the laws of America and make it safer. That is not a theatrical per-

formance; that is just discharging our duties as U.S. Senators.

So I would say to that Senator and others, I agree completely with Senator SCHUMER. We need to bring bills to the floor that will reduce gun violence in America, keep firearms out of the hands of people who should not have them. Convicted felons and mentally unstable people should not be having guns and buying them and be able to kill innocent people who are just stopping by the supermarket to pick up something to take home. That is what happened in Boulder, CO.

As the stories are printed in newspapers across America about those lives lost, it is a grim reminder that this is not ridiculous. It is not theater. It is a life-and-death issue which we have the power to change.

I hope we can bring this measure to the floor, the one that passed the House of Representatives—and others—to bring sanity to our Second Amendment, to make sure that we have constitutional, commonsense gun safety that is consistent with any constitutional right.

I yield the floor.

CLOTURE MOTION

The ACTING PRESIDENT pro tempore. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 40, Rachel Leland Levine, of Pennsylvania, to be an Assistant Secretary of Health and Human Services.

Charles E. Schumer, Patty Murray, Benjamin L. Cardin, Jon Tester, Richard Blumenthal, Michael F. Bennet, Sheldon Whitehouse, Sherrod Brown, Jeanne Shaheen, Debbie Stabenow, Thomas R. Carper, Margaret Wood Hassan, Elizabeth Warren, Alex Padilla, Tina Smith, Tim Kaine, Christopher A. Coons.

VOTE ON THE LEVINE NOMINATION

The ACTING PRESIDENT pro tempore. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Rachel Leland Levine, of Pennsylvania, to be an Assistant Secretary of Health and Human Services, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

The yeas and nays resulted—yeas 52, nays 48, as follows:

[Rollcall Vote No. 132 Ex.]

YEAS—52

Baldwin	Carper	Feinstein
Bennet	Casey	Gillibrand
Blumenthal	Collins	Hassan
Booker	Coons	Heinrich
Brown	Cortez Masto	Hickenlooper
Cantwell	Duckworth	Hirono
Cardin	Durbin	Kaine

Kelly	Murray	Smith
King	Ossoff	Stabenow
Klobuchar	Padilla	Tester
Leahy	Peters	Van Hollen
Lujan	Reed	Warner
Manchin	Rosen	Warnock
Markey	Sanders	Warren
Menendez	Schatz	Whitehouse
Merkley	Schumer	Wyden
Murkowski	Shaheen	
Murphy	Sinema	

NAYS—48

Barrasso	Graham	Portman
Blackburn	Grassley	Risch
Blunt	Hagerty	Romney
Boozman	Hawley	Rounds
Braun	Hoeven	Rubio
Burr	Hyde-Smith	Sasse
Capito	Inhofe	Scott (FL)
Cassidy	Johnson	Scott (SC)
Cornyn	Kennedy	Shelby
Cotton	Lankford	Sullivan
Cramer	Lee	Thune
Crapo	Lummis	Tillis
Cruz	Marshall	Toomey
Daines	McConnell	Tuberville
Ernst	Moran	Wicker
Fischer	Paul	Young

The PRESIDING OFFICER (Mr. HICKENLOOPER). On this vote, the yeas are 52, the nays are 48.

The motion is agreed to.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 38, David Turk, of Maryland, to be Deputy Secretary of Energy.

Charles E. Schumer, Patrick J. Leahy, Richard J. Durbin, Christopher A. Coons, Robert Menendez, Chris Van Hollen, Tammy Baldwin, Thomas R. Carper, Tina Smith, Richard Blumenthal, Ben Ray Lujan, Debbie Stabenow, Ron Wyden, Cory A. Booker, Alex Padilla, Jack Reed, Mark R. Warner, Chris Van Hollen, Robert P. Casey, Jr.

VOTE ON THE TURK NOMINATION

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of David Turk, of Maryland, to be Deputy Secretary of Energy, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

The yeas and nays resulted—yeas 98, nays 2, as follows:

[Rollcall Vote No. 133 Ex.]

YEAS—98

Baldwin	Cardin	Duckworth
Barrasso	Carper	Durbin
Bennet	Casey	Ernst
Blackburn	Cassidy	Feinstein
Blumenthal	Collins	Fischer
Blunt	Coons	Gillibrand
Booker	Cornyn	Graham
Boozman	Cortez Masto	Grassley
Braun	Cotton	Hagerty
Brown	Cramer	Hassan
Burr	Crapo	Heinrich
Cantwell	Cruz	Hickenlooper
Capito	Daines	Hirono